

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE
(REV. 2-2005)

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

133697-0002

U.S. APPLICATION NO. (If known: See 37 CFR 1.5)

10/544088INTERNATIONAL APPLICATION NO.
PCT/CN2004/000086INTERNATIONAL FILING DATE
30 January 2004PRIORITY DATE CLAIMED
30 January 2003

TITLE OF INVENTION

LIPOSOMES CONTAINING ASIATICOSIDE AND THE USES THEREOF

APPLICANT(S) FOR DO/EO/US

Jianming CHEN, Luo LU, Shen GAO, Huifen LIN, Shaomin WEI, Yangmei ZHANG, Huiliang LI, Yanqiang ZHONG, Qing SHI, Yiguang GUO, Fei GUAN, Wei WANG, Laiji MA and Juan GU

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☒ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☒ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☒ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 23 below concern document(s) or information included:

13. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☒ A substitute specification.
18. ☒ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☒ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☒ Express Mail Label No. **EV 468352134 US**
23. ☒ Other items or information:

Substitute Specification – Clean and Marked Up Copies**Written Opinion of the International Searching Authority in English and Chinese****Response Letter dated 07/19/2004 to the Written Opinion with Amendment on Claims under PCT Rule 19****Fee Transmittal and Return Postcard**

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
107544088		PCT/CN2004/000086		133697-0002	
The following fees are submitted:				CALCULATIONS	PTO USE
24. <input checked="" type="checkbox"/> Basic national fee				\$300	\$300.00
25. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4).				\$100	\$200.00
All other situations.				\$200	
26. <input checked="" type="checkbox"/> Search fee					
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority				\$100	
International Search Report prepared and provided to the Office				\$400	
All other situations.				\$500	\$400.00
TOTAL OF 24, 25 and 26 =					\$900.00
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)	RATE		
- 100 =	0 /50 =	0	x \$250.00	\$	\$0.00
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	\$130.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	20 - 20 =	0	x \$50.00	\$	\$0.00
Independent claims	3 - 3 =	0	x \$200.00	\$	\$0.00
MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/> + \$360.00				\$	\$0.00
TOTAL OF ABOVE CALCULATIONS =				\$	\$1,030.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	\$0.00
SUBTOTAL =				\$	\$1,030.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	\$0.00
TOTAL NATIONAL FEE =				\$	\$1,030.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +				\$	\$0.00
TOTAL FEES ENCLOSED =				\$	\$1,030.00
				Amount to be	\$
				Amount to be	\$
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.					
b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>12-2136</u> in the amount of <u>\$1,030.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.					
c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>12-2136</u> . A duplicate copy of this sheet is enclosed.					
d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.					
SEND ALL CORRESPONDENCE TO:					
Michael S. Gzybowski					
BUTZEL LONG					
350 South Main Street					
Suite 300					
Ann Arbor, MI 48104					
				SIGNATURE	
				Michael S. Gzybowski	
				NAME	
				32,816	
				REGISTRATION NUMBER	

10/544088

"EXPRESS MAIL" COVER LETTER
U.S. PATENT APPLICATION

JUL 29 2005

Date: July 29, 2005

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: APPLICANTS: Jianming CHEN, Luo LU, Shen GAO, Huifen LIN, Shaomin WEI, Yangmei ZHANG, Huiliang LI, Yanqiang ZHONG, Qing SHI, Yiguang GUO, Fei GUAN, Wei WANG, Laiji MA and Juan GU

TITLE OF INVENTION: LIPOSOMES CONTAINING ASIATICOSIDE AND THE USES THEREOF

Sir:

Forwarded herewith is the above-identified application, consisting of the following:

Express Mail Cover Letter
 Certificate of Mailing by "Express Mail"
 Transmittal Letter to the U.S. Designated/Elected Office Concerning a Filing
 Under 35 U.S.C. 371 - In Duplicate
 PCT Publication of International Application No. PCT/CN2004/000086 (Publication No. PCTWO2004-067012 A1)
 Translation of International Application No. PCT/CN2004/000086 (Publication No. PCTWO2004-067012 A1) into English
 Including Specification (7 pages), Claims (2 pages) and Abstract (1 page)
 English translation of the amended Claims 1-9 under PCT Rule 34 (2 pages)
 Substitute Specification - **Clean Copy** (8 pages)
 Substitute Specification - **Marked-Up Copy** (10 pages)
 Preliminary Amendment (9 pages)
 PCT/USA National Declaration and Power of Attorney (5 pages)
 International Search Report (PCT/ISA/210) in English and Chinese (2 pages)
 Written Opinion of the International Searching Authority in English and Chinese (8 pages)
 Response Letter dated July 19, 2004 to the Written Opinion, with Amendment on Claims under PCT Rule 19 (2 pages)
 International Preliminary Report on Patentability, together with the Notification of Transmission (form PCT/IPEA/416 and form PCT/IPEA/409) and amended Claims under PCT Rule 34 in Chinese (6 pages)
 Information Concerning Elected Offices Notified of Their Election (Form PCT/IB/332) (1 page)
 Information Disclosure Statement (2 pages)
 Information Disclosure Statement (PTO-1449) with Cited References
 Fee Transmittal (1 page)
 Return Post Card

Respectfully submitted,

Michael S. Gzybowski
Reg. No. 32,816
Attorney for ApplicantBUTZEL LONG
350 South Main Street
Suite 300
Ann Arbor, MI 48104
734-995-3110 (ph)

"EXPRESS MAIL" Mailing No. EV 468352134 US

Date of Deposit: July 29, 2005

I hereby certify that this paper is being deposited with
 The United States Postal Service "EXPRESS MAIL
 POST OFFICE TO ADDRESSEE" service under
 37 CFR 1.10 on the date indicated above and is addressed
 to the Mail Stop PCT, Commissioner for Patents,
 P.O. Box 1450, Alexandria, VA 22313-1450



Marilyn M. Peterson

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): Jianming CHEN, et al

Docket No.

133697-0002

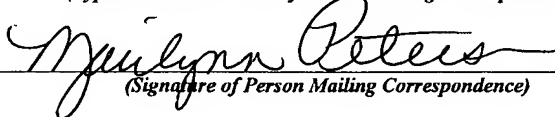
Application No.
107544088
UnknownFiling Date
July 29, 2005Examiner
UnknownCustomer No.
35684Group Art Unit
UnknownInvention: **LIPOSOMES CONTAINING ASIATICOSIDE AND THE USES THEREOF****I certify that the following correspondence**

Express Mail Cover Letter, Transmittal Letter to the U.S. Designated/Elected Office Concerning a Filing Under 35 U.S.C. 371 - In Duplicate, PCT Publication of International Application No. PCT/CN2004/000086 (Publication No. PCTWO2004-067012 A1), Translation of International Application No. PCT/CN2004/000086 (Publication No. PCTWO2004-067012 A1) into English Including Specification (7 pages), Claims (2 pages) and Abstract (1 page), English translation of the amended Claims 1-9 under PCT Rule 34 (2 pages), Substitute Specification - Clean Copy (8 pages), Substitute Specification - Marked-Up Copy (10 pages), Preliminary Amendment (9 pages), PCT/USA National Declaration and Power of Attorney (5 pages), International Search Report (PCT/ISA/210) in English and Chinese (2 pages), Written Opinion of the International Searching Authority in English and Chinese (8 pages), Response Letter dated July 19, 2004 to the Written Opinion with Amendment on Claims under PCT Rule 19 (2 pages), International Preliminary Report on Patentability, together with the Notification of Transmission (form PCT/IPEA/416 and form PCT/IPEA/409) and amended Claims under PCT Rule 34 in Chinese (6 pages), Information Concerning Elected Offices Notified of Their Election (Form PCT/IB/332) (1 page), Information Disclosure Statement (2 pages), Information Disclosure Statement (PTO-1449) with Cited Reference, Fee Transmittal (1 page) and Return Post Card

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 29, 2005
(Date)

Marilynn M. Peterson

(Typed or Printed Name of Person Mailing Correspondence)



(Signature of Person Mailing Correspondence)

EV 468352134 US

("Express Mail" Mailing Label Number)

Note: Each paper must have its own certificate of mailing.

JC20 Rec'd PCT/PTO 29 JUL 2005

Doc Code:

PTO/SB/17 (12-04v2)

Approved for use through 07/31/2006. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). FEE TRANSMITTAL for FY 2005		Complete if Known	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	Unknown 10/544088
		Filing Date	July 29, 2005
		First Named Inventor	Jianming CHEN, et al
		Examiner Name	Unknown
		Art Unit	Unknown
TOTAL AMOUNT OF PAYMENT (\$) \$1,030.00		Attorney Docket No.	133697-0002

METHOD OF PAYMENT (check all that apply)
☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Deposit Account Number: 12-2136 Deposit Account Name: BUTZEL LONG

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Charge fee(s) indicated below, except for the filing fee
☒ Charge any additional fee(s) or any underpayment of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.
FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid(\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
- 20 or HP =	x	\$50.00	= \$0.00

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
- 3 or HP =	x	\$200.00	= \$0.00

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

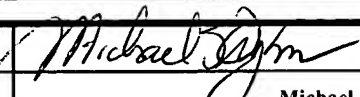
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listing under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	0	/ 50 0 (round up to a whole)	x \$250.00	= \$0.00

4. OTHER FEE(S)

Non-English specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): **BASIC NATIONAL PHASE FILING FEE& LATE OATH SURCHARGE** **\$1,030.00**

SUBMITTED BY			
Signature		Registration No. (Attorney/Agent)	32,816
Name (Print/Type)	Michael S. Gzybowski	Telephone	734.995.3110
		Date	July 29, 2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.